

IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION

IN RE:	§	CASE NO. 07-34998-H2-7
	§	
Jana Bozena Gutierrez,	§	(Chapter 7)
	§	
	§	
Debtor	§	

**MOTION TO PAY FUNDS INTO THE REGISTRY OF THE COURT  
UNDER 11 U.S.C. §347(b)**

TO THE HONORABLE UNITED STATES BANKRUPTCY JUDGE:

COMES NOW, David Askanase, Trustee and files this Motion to Pay Funds into the Registry of the Court Under 11 U.S.C. §347(b) and would show unto the Court as follows:

The undersigned trustee reports the following:

\_\_\_\_\_ 1. The dividend(s) payable to the creditor(s) listed on Exhibit "A" attached hereto is(are) in an amount less than the amount specified in Bankruptcy Rule 3010.

  X   2. More than ninety (90) days have passed since the final distribution, and the dividend payable to the creditor listed on Exhibit "A" attached hereto remains unclaimed.

Pursuant to Bankruptcy Rule 3010 or 3011, as applicable and 11 U.S.C. §347(b), the undersigned Trustee requests authorization to pay small and/or unclaimed funds in the total amount shown on Exhibit "A" attached hereto for deposit into the United States Treasury, pursuant to Chapter 129 of Title 28 (28 U.S.C. 3041, et seq.).

Respectfully submitted,

BY: /s/ David Askanase  
David Askanase, Trustee  
SBN 01390000  
Three Allen Center  
333 Clay Street, 29<sup>th</sup> Floor  
Houston, Texas 77002  
(713) 759-0818 Telephone  
(713) 759-6834 Facsimile  
Email: [daskanase@hwa.com](mailto:daskanase@hwa.com)

**CERTIFICATE OF SERVICE**

I **HEREBY CERTIFY** that a true and correct copy of the foregoing Motion was served by U. S. mail, first class, postage prepaid, on the U. S. Trustee, 515 Rusk, Suite 3516, Houston, Texas 77002 on this the 5th day of January, 2010.

/s/ David Askanase  
David Askanase, Trustee

**EXHIBIT "A"**

PLEASE CHECK ONE:

\_\_\_\_\_ Small Dividends

  X   Unclaimed Funds

<u>Name and Address</u>	<u>Claim No.</u>	<u>Amount</u>
Chevron P. O. Box 5010 Concord, California 94524	3	\$ 16.69
		_____
	TOTAL	\$ 16.69